

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

**MIRAMAR INVESTMENT, LLC.,
PORTER DHM, LLC. and DAVID
HOWELL,**

Plaintiffs,

v.

Case No: 2:12-cv-106-Ftm-99SPC

**PREFERRED INCOME PARTNERS IV,
LLC,**

Defendant.

ORDER

This cause is before the Court on Defendant's Motion to Transfer Venue Under Forum Selection Clause (Doc. No. 8) filed on March 8, 2012.

The United States Magistrate Judge has submitted a report recommending that the Motion be GRANTED.

After an independent *de novo* review of the record in this matter, including the objections filed by the Miramar Investment, LLC, Porter- DHM, LLC, and David Howell (Doc. No. 18), the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** as follows:

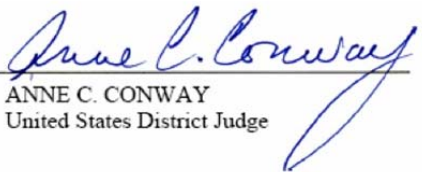
1. The Report and Recommendation filed April 11, 2012 (Doc. No. 17), is ADOPTED and CONFIRMED and made a part of this Order, with the exception of the background statement that Plaintiffs repudiated their agreements by refusing to pay money due and owing to Defendant.

2. The Defendant's Motion to Transfer Venue Under Forum Selection Clause (Doc. No. 8) is hereby GRANTED.

3. This case is hereby TRANSFERRED to the United States District Court for the Northern District of Texas, Dallas Division.

4. The Clerk is directed to CLOSE this file.

DONE and **ORDERED** in Orlando, Florida on July 12, 2012.



ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record